

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS**

IN RE: SUBPOENA TO TESTIFY AT A
DEPOSITION AND SUBPOENA TO
PRODUCE DOCUMENTS OR PERMIT
INSPECTION TO MARCUS LEMONIS
AND MARCUS LEMONIS, LLC.

ASTRAL HEALTH & BEAUTY, INC., a
Pennsylvania corporation registered in
Georgia, and ASTRAL BRANDS, INC., a
Delaware corporation registered in Georgia,

Plaintiffs,

vs.

MARCUS LEMONIS, an individual, and
MARCUS LEMONIS, LLC, an Illinois
limited liability company,

Defendants.

GDM ENTERPRISES, LLC, a Missouri
limited liability company, d/b/a The Lano
Company,

Plaintiff,

vs.

ASTRAL HEALTH & BEAUTY, INC., a
Pennsylvania corporation registered in
Georgia,

and

ASTRAL BRANDS, INC., a Delaware
corporation registered in Georgia,

Defendants.

Misc. Case No. _____

Underlying Action Pending in the
U.S. District Court for the
Western District of Missouri
at Kansas City

Case No. 4:17-CV-01069-SRB

Jury Trial

MOTION TO COMPEL COMPLIANCE WITH
SUBPOENAS TO TESTIFY AT A DEPOSITION AND
SUBPOENAS TO PRODUCE DOCUMENTS OR PERMIT INSPECTION

Defendants Astral Health & Beauty, Inc., and Astral Brands, Inc. (collectively “Astral”) move pursuant to Fed. R. Civ. P. 37 and Local Rule 37.2 to compel Marcus Lemonis and Marcus Lemonis, LLC (collectively “Lemonis”) to comply with Astral’s Subpoenas to Produce Documents or Permit Inspection and Astral’s Subpoenas to Testify at a Deposition and to pay the attorneys’ fees Astral has incurred as a direct result of the failure of Lemonis’s to comply with the subpoenas.

As grounds for this Motion, Astral relies on the Memorandum of Law, Declaration of Felicia J. Boyd, and Exhibits filed herewith.

Date: March 18, 2019

Respectfully submitted,

BARNES & THORNBURG LLP

By: */s/Bruce H. Little*

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**ATTORNEYS FOR DEFENDANTS ASTRAL
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BRANDS, LLC**

CERTIFICATE OF SERVICE

Bruce Little, an attorney, certifies that on March 18, 2019, he caused the foregoing document to be electronically filed with the Clerk of the U.S. District Court, using the Court's CM/ECF system. I further certify that I caused a true and correct copy of the foregoing to be served by electronic mail and First Class Mail delivery on:

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